

DEC 19 2013

US DISTRICT COURT
WESTERN DISTRICT OF NC

IN THE UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF NORTH CAROLINA
 CHARLOTTE DIVISION

CRIMINAL NO.: 3:13cr263-RJC

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	CONSENT ORDER AND
v.)	JUDGMENT OF FORFEITURE
)	PENDING RULE 32.2(c)(2)
(4) RASHON DONTE HUNTER,)	
)	
Defendant.)	

BASED UPON the Defendant's plea of guilty and finding that there is a nexus between the property listed below and the offense(s) to which the Defendant has pled guilty and that the Defendant (or any combination of Defendants in this case) has or had a possessory interest or other legal interest in the property, IT IS HEREBY ORDERED THAT:

1. The following property is forfeited to the United States pursuant to 21 U.S.C. § 853 and/or 28 U.S.C. § 2461(c), provided, however, that forfeiture of specific assets is subject to any and all third party petitions under 21 U.S.C. § 853(n), pending final adjudication herein:

- One Norinco SKS 7.62 caliber rifle, serial number 82420 and ammunition
- One Rossi .38 caliber revolver, serial number W271259 and ammunition
- One Titan .38 special revolver, serial number N026511 and ammunition
- One Ruger .45 caliber pistol, serial number 662-35458 and ammunition
- One Norinco SKS 7.62 caliber rifle, serial number 21054852 with ammunition and attached scope
- One Rossi .357 caliber revolver with obliterated serial number and ammunition
- One Hi-Point Firearms, model JCP, .40 caliber pistol, serial number X7173139 and ammunition
- Approximately \$1,550.00 in United States currency seized from 412 East Walnut Avenue, Gastonia, North Carolina on or about February 27, 2013
- Two Samsung cellular telephones seized from 412 East Walnut Avenue, Gastonia, North Carolina on or about February 27, 2013
- Digital scales, mixer, mixing beaters and glass mixing bowls all with residue cocaine residue seized from 412 East Walnut Avenue, Gastonia, North Carolina on or about February 27, 2013
- Approximately \$4,493 in United States currency seized from 2014 Angler Way, Gastonia, North Carolina on or about June 27, 2013

- **Digital scales and electric mixer seized from 2014 Angler Way, Gastonia, North Carolina on or about June 27, 2013;**
- **One 2010 Lincoln MXS, VIN 1LNHL9ERXAG611325**
- **One Verizon cellular telephone and one LG cellular telephone seized from 2014 Angler Way, Gastonia, North Carolina on or about June 27, 2013**

2. The United States Marshals Service, the investigative agency, and/or the agency contractor is authorized to take possession and maintain custody of the above specific asset(s).

3. If and to the extent required by Fed. R. Crim. P. 32.2(b)(6), 21 U.S.C. § 853(n), and/or other applicable law, the United States shall publish notice and provide direct written notice of forfeiture.

4. Any person, other than the Defendant, asserting any legal interest in the property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest.

5. Pursuant to Fed. R. Crim. P. 32.2(b)(3), upon entry of this order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of the property, including depositions, interrogatories, and request for production of documents, and to issue subpoenas pursuant to Fed. R. Civ. P. 45.

6. As to any specific assets, following the Court's disposition of all timely petitions, a final order of forfeiture shall be entered. If no third party files a timely petition, this order shall become the final order of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property according to law.

The parties stipulate and agree that the aforementioned asset(s) constitute property derived from or traceable to proceeds of Defendant's crime(s) herein or property used in any manner to facilitate the commission of such offense(s) and are therefore subject to forfeiture pursuant to 18 U.S.C. § 924(d), 21 U.S.C. § 853 and/or 28 U.S.C. § 2461(c). The Defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against Defendant. If the Defendant has previously submitted a claim in response to an administrative forfeiture proceeding regarding any of this property, Defendant hereby withdraws that claim. If Defendant has not previously submitted such a claim, Defendant hereby waives all right to do so. As to any firearms listed above and/or in the charging instrument, Defendant consents to destruction by federal, state, or local law enforcement authorities upon such legal process as they, in their sole discretion deem

to legally sufficient, and waives any and all right to further notice of such process or such destruction.

ANNE M. TOMPKINS
UNITED STATES ATTORNEY

Kimberly M. Ford, for
ANN CLAIRE PHILLIPS, ESQ.
Assistant United States Attorney

Rashon Donté Hunter
RASHON DONTÉ HUNTER
Defendant

Brian Michael Aus
BRIAN MICHAEL AUS, ESQ.
Attorney for Defendant

Signed this the 19th day of December, 2013.

Dick
UNITED STATES Magistrate JUDGE